

Attorney's Docket No.: 12177-004001

# COMBINED DECLARATION AND POWER OF ATTORNEY

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As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled COMMUNICATIONS DEVICE AND METHOD FOR USING THE COMMUNICATIONS DEVICE TO COMMUNICATE A MESSAGE, the specification of which:

- ☒ is attached hereto.  
☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_.  
☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status
60/411,752	September 19, 2002	Pending

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No.	Filing Date	Status
N/A		

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Country	Application No.	Filing Date	Priority Claimed
N/A			

**Combined Declaration and Power of Attorney**  
Page 2 of 2 Pages

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

John F. Hayden, Reg. No. 37,640; W. Karl Renner, Reg. No. 41,265; Mark R.W. Bellermaun, Reg. No. 47,419; Barbara A. Benoit, Reg. No. P-54,777; Scott R. Boalick, Reg. No. 42,337; Tina M. Chappell, Reg. No. P-54,025; Joseph V. Colaianni, Jr., Reg. No. 39,948; Ruffin B. Cordell, Reg. No. 33,487; Lauren A. Degnan, Reg. No. 40,584; Diana DiBerardino, Reg. No. 45,653; Brian J. Dorini, Reg. No. 43,594; Benjamin D. Driscoll, Reg. No. 41,571; Harold H. Fox, Reg. No. 41,498; Kevin E. Greene, Reg. No. 46,031; Charles F. Haisch, Reg. No. 47,627; Rolf G. Hille, Reg. No. 53,912; William G. Hughes, Jr., Reg. No. 46,112; Joseph F. Key, Reg. No. 44,827; Andrew R. Kopsidas, Reg. No. 42,759; Linda Liu Kordziel, Reg. No. 39,732; Phyllis K. Kristal, Reg. No. 38,524; Michael J. McKeon, Reg. No. 37,888; David C. McKone, Reg. No. 52,014; James E. Mrose, Reg. No. 33,264; Brian T. Racilla, Reg. No. P-54,382; Timothy W. Riffe, Reg. No. 43,881; Thomas A. Rozylowicz, Reg. No. 50,620; Wendy S. Vicente, Reg. No. 45,496; Mark E. Wadzyk, Reg. No. 45,187; and Gregory A. Walters, Reg. No. 41,366.

Direct all telephone calls to JOSEPH F. KEY at telephone number (202) 783-5070.

Direct all correspondence to the following:

26171  
PTO Customer Number

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: RICHARD L. WEBER  
Inventor's Signature: Richard L. Weber  
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Date: 9/22/03

**United States Patent and Trademark Office OG Notices: 21 October 2003**

Closing of the United States Patent and Trademark Office on  
Thursday, September 18, 2003, and Friday, September 19, 2003

In view of the official closing of the Federal Government offices in the Washington, D.C. metropolitan area, including the United States Patent and Trademark Office (USPTO), on Thursday, September 18, 2003, and Friday, September 19, 2003, the United States Patent and Trademark Office will consider Thursday, September 18, 2003, and Friday, September 19, 2003, a "Federal holiday within the District of Columbia" under 35 U.S.C. 21 and 37 C.F.R. 1.6, 1.7, 1.9, 2.2(d), 2.195, and 2.196. Any action or fee due on Thursday, September 18, 2003, or Friday, September 19, 2003, will be considered as timely for the purposes of, e.g., 35 U.S.C. 119, 120, 133 and 151, if the action is taken, or the fee is paid, on the next succeeding business day on which the USPTO was open, that is, Monday, September 22, 2003.

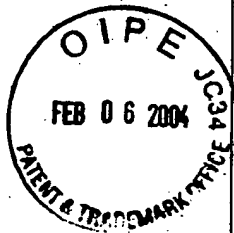
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37 C.F.R. 1.6(a)(2) and 2.195(a)(4) provide that correspondence deposited as Express Mail in accordance with 37 C.F.R. 1.10 or 2.198 will be considered as filed on the date of deposit with the United States Postal Service (USPS). Thus, any paper or fee properly deposited in accordance with 37 C.F.R. 1.10 or 2.198 with the Express Mail service of the USPS on Thursday, September 18, 2003, or Friday, September 19, 2003 (that is, as shown by a "date-in" of Thursday, September 18, 2003, or Friday, September 19, 2003, on the Express Mail mailing label) will be considered filed in the USPTO on its date of deposit in the Express Mail service of the USPS. 37 C.F.R. 2.195(a)(2) provides that trademark-related correspondence transmitted electronically to the USPTO will be considered filed in the USPTO on the date the USPTO receives the electronic transmission. Thus, trademark-related correspondence transmitted electronically on Thursday, September 18, 2003, and/or Friday, September 19, 2003, will be considered filed in the USPTO on the date the USPTO received the electronic transmission. Correspondence successfully received by the USPTO through the patent Electronic Filing System will receive the date as indicated on the Acknowledgment Receipt.

September 23, 2003

JAMES E. ROGAN  
Under Secretary of Commerce for  
Intellectual Property and  
Director of the United States Patent and  
Trademark Office

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Attorney's Docket No. 12177-004001	Express Mail Label No.	Mailing Date February 6, 2004	<b>For PTO Use Only</b> <i>Do Not Mark in This Area</i>  	
Application No. 10/665,504	Filing Date September 22, 2003	Attorney/Secretary Init JFH/JFK/afy		
Title of the Invention COMMUNICATIONS DEVICE AND METHOD FOR USING THE COMMUNICATIONS DEVICE TO COMMUNICATE A MESSAGE				
Applicant Richard Weber				
Enclosures Request for Corrected Official Filing Receipt (2 pages) Copy of corrected Filing Receipt (2 pages) Copy of Combined Declaration and Power of Attorney (2 pages) Copy of OG Notice 1275 OG 142 dated 10/21/03 (1 page)				